

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

**RICSUNG INTERNATIONAL LIMITED, and
FUIJAN MINHOU MINXING WEAVING CO., LTD.**

PLAINTIFFS,

vs.

No. 1:08-CV-01213-JDB

**XEBEX CORPORATION, a/k/a
TETRA PACIFIC CORPORATION,**

DEFENDANT.

RULE 16 (b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)):

All initial disclosures pursuant to Rule 26(a)(1) shall be made on or before April 30, 2009 unless the Court authorizes a later date due to special circumstances.

JOINING PARTIES:

For Plaintiffs: July 31, 2009.
For Defendant: August 31, 2009.

AMENDING PLEADINGS:

For Plaintiffs: July 31, 2009.
For Defendant: August 31, 2009.

COMPLETING ALL DISCOVERY:

November 30, 2009.

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES
and REQUESTS FOR ADMISSIONS:**
October 30, 2009.

(b) EXPERT DISCLOSURE (RULE 26(a)(2)):

- (i) Plaintiff's Experts: September 30, 2009.
- (ii) Defendant's Experts: October 30, 2009.
- (iii) Supplementation under Rule 26(e)(2): November 10, 2009.

(c) DEPOSITIONS OF EXPERTS:

November 30, 2009.

FILING DISPOSITIVE MOTIONS: December 31, 2009.

FINAL LIST OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) For Plaintiff: 45 days before trial
- (b) For Defendant: 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26 (a)(3).

The trial of this matter is expected to require 5- 7 days. The presiding judge will set this matter for **JURY TRIAL**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allows 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a

memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are ordered to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

s/ Edward G. Bryant
EDWARD G. BRYANT
UNITED STATES MAGISTRATE JUDGE

Date: March 16, 2009